

THE PENNSYLVANIA HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
SUBCOMMITTEE ON CRIME AND CORRECTIONS HEARING
ON WOMEN'S PRISON ISSUES

Monday, August 18, 1997
Curie Hall Auditorium
State Correctional Institution - Cambridge Springs
451 Fullerton Avenue
Cambridge Springs, PA 16403
1:00 o'clock p.m.

ORIGINAL

1 REPRESENTATIVE BIRMELIN: Good afternoon.
2 I want to welcome you here to the House Judiciary
3 Hearing on Women's Prison Issues.

4 We're going to be meeting this afternoon,
5 the committee and the committee staff will be havin
6 a tour of the prison tomorrow, and on Wednesday
7 morning we will be hearing from some other
8 testifiers on the issues of women's prison.

9 I'm Representative Birmelin, I'm the
10 chairman of the subcommittee. I'd like to briefly
11 introduce the other panel members that are seated
12 here with me and we may have some others who will
13 join us and I will introduce them as that
14 opportunity arrives.

15 To my far left is Representative Linda
16 Bebko-Jones. And you're from Erie County; is that
17 correct?

18 REPRESENTATIVE BEBKO-JONES: Right.

19 REPRESENTATIVE BIRMELIN: My immediate
20 left is Representative Kathy Manderino, she's from
21 Philadelphia County.

22 To my right is Attorney Brian Preski.

23 To his right is Representative Don Walko
24 from Pittsburgh, Allegheny County.

1 And on the far right -- I've always wanted
2 to say that -- on the far right is Representative
3 Babette Josephs from Philadelphia County as well.

4 We want to thank you for coming here.
5 Some of you are testifiers, some of you are
6 observers. I will tell you that the proceedings
7 here are going to be videotaped today by the
8 Pennsylvania Cable Network, that's why the camera is
9 here. And also we have a court reporter here
0 reporting testimony and questions of the panel as
1 the testifiers present their testimony today.

2 If you have a desire for any of the
3 information that they are presenting, if you will
4 address your request to the chief counsel, Brian
5 Preski, we'll see that you get that information.

6 I apologize for the late start. As I
7 explained to the superintendent, nothing in
8 Harrisburg starts on time so don't expect this to
9 start on time, unfortunately. However, we will get
0 started.

1 Several of our people are here to testify.
2 The first is the superintendent ever Cambridge
3 Springs Correctional Institution, Bill Wolfe, who
4 tells me he's been here since the day the state

1 opened the facility.

2 Mr. Wolfe, we'll ask you to come forward
3 -- and a welcome to the committee members.

4 SUPERINTENDENT WOLFE: Thank you very
5 much.

6 First of all, I would like to welcome you
7 Chairman Gannon, members of the House, and our
8 guests, to SCI Cambridge Springs. I would also like
9 to welcome you on behalf of Commissioner Horne and
10 the Department of Corrections. Cambridge Springs is
11 proud to be the site selected for these public
12 hearings.

13 The Commonwealth purchased Alliance
14 College in late 1990 in a response to prison
15 overcrowding that our nation and the Commonwealth
16 was experiencing at that time. In February of 1991
17 I was transferred from SCI-Waynesburg where I served
18 as superintendent, and SCI-Waynesburg was a minimum
19 security women's facility, and I was appointed
20 superintendent of this institution.

21 We've come a long way since our humble
22 beginnings in a community that initially did not
23 want to host a prison. And secondly, a physical
24 plant that had to be retrofitted to serve and

1 function as a correctional institution.

2 Our first 25 inmates arrived in the Spring
3 of 1992 following nearly a one year hiring freeze
4 during the Casey administration. Our first inmates
5 arrived from SCI-Waynesburg and served as a working
6 train to help us prepare to open up the facility for
7 the rest of the inmates. Today we have
8 approximately 500 inmates housed here and we employ
9 approximately 260 people from the local area.

10 Tomorrow morning prior to our tour you
11 will learn a little bit more about the history of
12 our institution during a reception in my office. I
13 personally believe, and I've been working with
14 female offenders for approximately eight, eight and
15 a half years. And I think this is a very important
16 topic and a very timely topic. And I'm certainly
17 encouraged by your presence here today to look at
18 women's prison issues.

19 The Department of Corrections houses
20 approximately 33,000 inmates. Of that 33,000
21 inmates only 1,800 inmates are women. And
22 consequently, and even nationwide, a lot of times
23 women's issues are caught in the backwash of the
24 large numbers of their male counterparts. So I'm

1 extremely pleased that you're here and I hope that
2 we have a very productive hearing.

3 On a subject that is very near and
4 personal to me, I've been asked to speak about some
5 of the issues that are different between males and
6 females, and I've had the privilege of working with
7 both populations. Prior to being appointed as
8 superintendent at Waynesburg I worked 18 and a half
9 years with the male offender. So I'm in a position
10 where I can compare and contrast some of the big
11 differences.

12 First, when you're dealing with women most
13 striking to me was the types of crimes that women
14 commit and the circumstances that surround their
15 involvement in crime.

16 Most serious crimes that women commit are
17 domestically oriented, or if it's committed outside
18 of the domestic situation usually women serve in a
19 supportive role to a male perpetrator.

20 Consequently, women, in fact, as you tour our
21 facility tomorrow, pose significant differences
22 concerning security issues. When the department
23 looked at acquiring Alliance College as a
24 consideration, it was felt since women offenders

1 would be housed here, that this site could
2 appropriately be converted to a women's prison
3 facility.

4 When working with women important issues
5 are childcare, not only during the woman's period of
6 incarceration. The vast majority of our women here,
7 at least 80 percent are mothers and many of these
8 leave young children behind in the community. And
9 that's a serious issue.

10 Also, childcare when women are released
11 because many of these women are single heads of the
12 household and many of our vocational programs that
13 we have prepare women to go in to the work force,
14 but being a single head of the household primarily
15 responsible for childcare, what do the women do when
16 they go to work? Are there adequate childcare
17 facilities in the community to assist single parents
18 that are attempting to enter the work force.

19 Abuse issues are also significantly
20 different. When I first started working with women
21 I was absolutely astounded at the number of women in
22 our system that are victims of physical, sexual and
23 mental abuse.

24 Health care issues are also significantly

1 different and much more critical for women. I
2 understand Dr. Mowie will be addressing the
3 committee during the next few days, and I'm sure he
4 would be happy to expound much more on that.

5 Also, mental health issues and drug and
6 alcohol abuse issues are significant issues that our
7 programming attempts to address in our attempts to
8 reintegrate these women back in to the community.

9 The other thing, and I do have a treatment
10 background, the Department of Corrections, I came up
11 through the treatment ranks and I truly enjoy
12 working with women offenders because I found that
13 women -- I found that in general, speaking on a
14 continual -- the behavior goes on both ends of the
15 scale. But in general, women are much more
16 concerned about and committed to their participation
17 in treatment programs and their overall
18 rehabilitation process that we enter in the
19 community, that I found in working with many of
20 them.

21 This has been a real challenge for us.
22 We're very proud of how far we've come. And in
23 closing I would like to say that if you are in need
24 of anything during the next three days, feel free to

1 ask our staff. If there is anything that we can do
2 to make your stay here more comfortable and more
3 enjoyable, we'll do everything we can to accommodate
4 you.

5 REPRESENTATIVE BIRMELIN: Thank you. I'm
6 going to ask the committee if they have questions of
7 you to hold them until Wednesday. If you're not
8 going to be here Wednesday, catch him on the way
9 out, but he's going to be back to testify Wednesday
10 morning as well.

11 And our next testifier has indicated to me
12 that she's on a tight schedule so I would like to
13 ask Tish Donze, director of the Mercy Center for
14 Women if she would come before our committee at this
15 time and give her testimony.

16 MS. DONZE: Thank you very much.

17 The agency that I'm the director of is
18 called the Mercy Center for Women, and our primary
19 goal is to provide transitional housing for homeless
20 women and their children. And we provide that
21 transitional counseling with extensive support
22 services on site.

23 Now, usually, I mean, we're not targeting
24 the women we serve as coming out of correctional

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14 Wednesday, August 20, 1997
15 Curie Hall Auditorium
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17 451 Fullerton Avenue
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19 9:00 o'clock a.m.
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ORIGINAL

1 folks who had worked in facilities that may have had
2 troubled histories.

3 And I wanted them to understand the former
4 and current, what my intentions were in terms of
5 staff misconduct. Inmates on staff assaults, zero
6 tolerance for drug use in institutions, there was
7 some drug use in institutions, and concluded the
8 discussion with them in saying inappropriate conduct
9 that would violate our code of ethics. So he
10 understands very clearly as do his colleagues and
11 folks that work in his office what our intentions
12 are.

13 And I nurture that relationship because I
14 think that's very significant for a person in his
15 position to understand what the priorities are, what
16 the expectations are.

17 REPRESENTATIVE MANDERINO: Thank you.

18 Commissioner Wolfe, I think I was the
19 person that Representative Birmelin said someone
20 wanted to ask you questions, so you may want to come
21 to one of the mikes.

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23 (Whereupon, there was a brief pause in the
24 proceedings.)

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REPRESENTATIVE MANDERINO: Thank you.

I think it's only fair to give you the opportunity, because I asked both inmates and staff level, and now as management level vis-a-vis -- I don't think I need to preface it, I don't make excuses for asking a probing question.

I do want you to know I have a realistic view of life in the real world, and I don't think whether it's the prisons or are pristine institution, so I'll just say that in context.

But everything is based on where you see it from, and obviously from the inmates level when I asked them about what changes if any they saw in policies, procedures, or way of operating after instances, they didn't see it. On the next level staff was more aware of it, and named some specific things such as cameras and some tightening up of time schedules.

But I really want to give you the opportunity as the senior management of the prison to give your perspective in terms of at least with regard to the instances that I knew of because I read newspaper articles about it, what changes you

1 as an institution made or didn't make, or what
2 policies you changed or reinforced as a result of
3 those instances happening at Cambridge Springs.

4 SUPERINTENDENT WOLFE: I think as the
5 Commissioner touched upon, there have been a number
6 of changes that were made as a result of this.
7 After our very first case which did not involve
8 sexual intercourse, it was an inappropriate
9 relationship that had formed between a staff member
10 and an inmate. And I had consulted quite a bit with
11 Superintendent Byrd, we communicate regularly, on
12 common issues and concerns.

13 Very early on, and we've been working with
14 the Commissioner's office, there has been a number
15 of meetings that we have had, a number of occasions
16 when I've talked to the Commissioner, also to
17 Superintendent Byrd and the director of our training
18 academy, about the need for specialized training for
19 employees that work specifically with female
20 offenders. And perhaps the Commissioner may wish to
21 talk about some of the programs that are in, that
22 are being developed to address some of those needs
23 at the academy.

24 We also brought in outside trainers, the

1 former director of OPR came in and gave a hair
2 raising lecture to staff as to the consequences of
3 being involved in this type of unprofessional
4 behavior, ranging from civil liabilities, criminal
5 liabilities and possibilities of being incarcerated,
6 which as a result of our zero tolerance towards this
7 type of behavior between inmates and staff we have
8 aggressively investigated each and every complaint
9 and rumor. And in every case we investigate a rumor
10 we don't always come to a finding of guilt. But as
11 rumors would persist we would go back and
12 reinvestigate and call in OPR and, yes, rumors do go
13 around institutions. Rumors are part of institution
14 life. And it's very difficult chasing rumors. It's
15 like chasing ghosts many times.

16 And you follow the investigative trail as
17 far as you can. If rumors persist we reopen
18 investigations, and we've done that in a number of
19 cases.

20 So beyond that we have also installed
21 electronic surveillance equipment to monitor staff
22 and inmate movements.

23 Procedurally -- well, it has always been,
24 our staff have always been trained that never to

1 place themselves in a compromising situation.
2 Somebody earlier testified that staff have more
3 recently been told not to be seen or about
4 one-on-one with inmates. That has been our practice
5 from very early on. Not to put themselves in a
6 compromising situation, and you can could do that by
7 surrounding yourself and not going in to --

8 REPRESENTATIVE MANDERINO: With regard to
9 the case involving Walton who I understand was, from
10 my reading was a prison guard?

11 SUPERINTENDENT WOLFE: No, he was a food
12 service instructor.

13 REPRESENTATIVE MANDERINO: Former food,
14 I'm sorry. See, it's those bad notes I took.
15 Eichert was the prison guard?

16 SUPERINTENDENT WOLFE: Yes.

17 REPRESENTATIVE MANDERINO: Walton was the
18 former food supervisor. Miller was the trades
19 instructor?

20 SUPERINTENDENT WOLFE: Yes, ma'am.

21 REPRESENTATIVE MANDERINO: Who's
22 Zimmerman.

23 SUPERINTENDENT WOLFE: He was our former
24 maintenance manager, facility maintenance manager,

1 in charge of our maintenance department.

2 COMMISSIONER HORNE: And we fired him.

3 SUPERINTENDENT WOLFE: Yes, he was fired.

4 REPRESENTATIVE MANDERINO: Now, that one
5 was fired but there were no criminal charges
6 brought?

7 SUPERINTENDENT WOLFE: Right, because as a
8 result of our investigation there was unethical
9 behavior but fraternization, but it never rose to
10 criminal sexual behavior, sexual acts.

11 REPRESENTATIVE MANDERINO: All four of
12 those classifications of positions, prison guard,
13 teacher, instructor and maintenance manager or food
14 supervisor, those are all what I heard referred to
15 as contact employees versus --

16 SUPERINTENDENT WOLFE: Non contact.

17 REPRESENTATIVE MANDERINO: Versus non
18 contact employees.

19 In each of those cases of investigation am
20 I correct in assuming that each of those cases of
21 investigation were done by OPR, or was Zimmerman
22 done just internally?

23 SUPERINTENDENT WOLFE: No. I'm not even
24 sure I gave this to the Commissioner -- may I have a

1 moment to review it?

2 Since the institution started receiving
3 inmates back in March of '92 we've had 12 employees
4 that were either, either we discharged or they were
5 permitted to resign. And we have made two criminal
6 prosecutions and one pending criminal prosecution.

7 Out of those 12 cases I requested from
8 central office in 11 cases I requested the outside
9 assistance of OPR. I take this very seriously. I
10 also understand that since the '70s people are very
11 skeptical of government, government officials, their
12 motives, their credibility, their morality.

13 REPRESENTATIVE MANDERINO: Join the
14 growing club.

15 SUPERINTENDENT WOLFE: And for somebody to
16 investigate themselves I feel is inappropriate. And
17 I've had a number of discussions with the
18 Commissioner as to how many occasions we have gone
19 outside of the institution, beyond our local
20 investigation and asked for somebody to come in who
21 was not associated with our staff or our facility to
22 come in and assist us to independently investigate
23 these cases. And I'm very proud that 11 of those 12
24 cases that was done.

1 REPRESENTATIVE MANDERINO: Of the 12
2 employees involving discipline, were all 12 of those
3 folks who were directly the one who committed the
4 ethical violation, whatever kind it was?

5 SUPERINTENDENT WOLFE: Yes, ma'am.

6 REPRESENTATIVE MANDERINO: In any of those
7 12 instances, and in particularly any of the
8 instances that rose to the level of criminal
9 prosecution, was in any disciplinary action,
10 investigation or termination of any of the staff
11 directly above or responsible for those employees'
12 supervision or any senior management staff?

13 SUPERINTENDENT WOLFE: Well, that would be
14 me, ma'am, and I'm still here.

15 REPRESENTATIVE MANDERINO: So in between
16 you and that particular person there was no --
17 obviously you're still here, there was no --

18 SUPERINTENDENT WOLFE: None.

19 REPRESENTATIVE MANDERINO: -- disciplinary
20 action taken?

21 When there is an investigation done is the
22 investigation done beyond the person themselves?
23 Does the investigator ask what happened below,
24 obviously they ask what happened below with the

1 inmate, do they ask what happened above with the
2 supervisors?

3 SUPERINTENDENT WOLFE: Oh, absolutely.
4 And in each one of these cases these were done by
5 independent employees, it was not done out in the
6 open, it was done secretively. And perhaps I
7 understand your question as to who, who's to blame
8 for this.

9 REPRESENTATIVE MANDERINO: No, I'm not
10 really asking who's to blame because obviously the
11 actor is ultimately responsible for their actions.
12 I'm really asking who took, how responsibility was
13 taken for the incident and what happened as a
14 result. Because not only does what happened affect
15 the person who either was discharged and the person
16 who was the subject of that, but it also effects
17 everyone else who was working or it still remains in
18 that functioning unit, whether it's the prison or
19 the legislature. So I was really asking what
20 resonating consequences, if any, were going
21 throughout the institution after the discharge?

22 SUPERINTENDENT WOLFE: Oh, each time we
23 have an instance, such as this, it has a devastating
24 effect upon an institution. It affects morale, it

1 creates a degree of labor and management issues.

2 The effect of these are devastating. And seriously
3 impact upon the institution. And our management of
4 this is critical.

5 COMMISSIONER HORNE: May I add something?

6 I think Superintendent Wolfe's points about the
7 impact is an important one. And I think he, let's
8 say in several of these cases the fact, the
9 supervisor or supervising personnel who had a
10 responsibility in these areas attested in the
11 investigation, or may well have either brought or
12 when a rumor was brought to their attention added in
13 the investigation, number one.

14 Number two, one of the problems that
15 occurs here is that when -- and you asked earlier
16 when a staff person makes an allegation against
17 another staff person, or even corroborates an
18 allegation made elsewhere, hard feelings have been
19 known to result. The union does take a very hard
20 line on their own members who are accused of this
21 and while they represent the individuals an element
22 of shunning kind of behavior does result.

23 And finally, I want to point out that in
24 the last month we demoted the senior security

1 supervisor here. One of the reasons -- and
2 transferred -- one of the reasons that we took that
3 action was because we had lost confidence in the
4 overall tone that was being set. Because I believe
5 that the way the staff responds to this set at the
6 top, and I was not satisfied nor was the
7 superintendent with the tone that was being set.
8 And while it's very difficult to pin, as the
9 superintendent said, the individual actor is
10 responsible, you know, on the night shift we have
11 600 inmates and 25 uniformed staff. They are spread
12 thin. It's very difficult to hold an individual
13 sergeant or lieutenant responsible for what an
14 individual maintenance worker or clerical worker or
15 teacher or CO or dietary worker does.

16 But it is possible, I think, ultimately to
17 hold the chief security supervisor responsible for
18 an attitude about sex and sexuality and
19 fraternization. And after having previously been
20 warned and counseled, another instance of behavior
21 that suggested to me bad judgment and immaturity
22 about this issue arose, based upon which the
23 superintendent and I consulted and that person was
24 removed.

1 REPRESENTATIVE MANDERINO: That was the
2 senior --

3 COMMISSIONER HORNE: The senior
4 superintendent of -- or because of it's side -- the
5 senior security adviser here is a captain and shift
6 commanders are lieutenants, so it's a notch down
7 from the other facilities. But the captain of the
8 guard who was the senior security supervisor here.

9 REPRESENTATIVE MANDERINO: And who was the
10 captain of the guard?

11 COMMISSIONER HORNE: He wasn't criminally
12 charged so I --

13 REPRESENTATIVE MANDERINO: But he's not
14 here now?

15 COMMISSIONER HORNE: Yes, that's right.
16 He was demoted back to lieutenant and transferred to
17 another facility.

18 REPRESENTATIVE MANDERINO: In security?

19 COMMISSIONER HORNE: As a lieutenant.
20 Certain amount of civil service protection, those
21 are several service jobs.

22 My point is that we do try to assess the
23 accountability of the line. In cases like this it's
24 very very difficult to fix precisely, but I think

1 that over a period of time, and I've been here two
2 and a half years, and I had come to believe that
3 when I saw this kind of behavior by this individual
4 in this role, when I saw it a second time I said,
5 that explains a lot of the attitudes that
6 subordinate employees have.

7 REPRESENTATIVE MANDERINO: And when was
8 that transfer effective, when did that move happen?

9 SUPERINTENDENT WOLFE: That was about
10 three and a half weeks ago.

11 REPRESENTATIVE MANDERINO: So it was July
12 of this year?

13 COMMISSIONER HORNE: Beginning of August.
14 It was within the last 30 days.

15 REPRESENTATIVE MANDERINO: Thank you very
16 much. Thank you for your answers and attention.

17 REPRESENTATIVE BIRMELIN: Representative
18 Josephs.

19 REPRESENTATIVE JOSEPHS: Thank you,
20 Mr. Chairman.

21 And thank you for appearing here. I first
22 want to apologize, I think Superintendent Byrd, I
23 did not mean by any of my remarks to intimate that
24 you were not doing a splendid job at your facility

1 because your reputation I think precedes you.

2 I have a question for the Commissioner
3 which has to do with the procedure by which you
4 acquire properties through the department of general
5 service. You said something about inheriting the
6 plant, I may have heard you wrong.

7 What happens exactly? What kind of input
8 do you or somebody in your department have with the
9 department of general services when they find a
10 site, whether it's a site that needs to be
11 constructed or converted, or any indication of that?

12 COMMISSIONER HORNE: The department of
13 general services handles all land acquisitions for
14 the Commonwealth. And through the bureau of real
15 estate services for and negotiates land
16 acquisitions. We provide them with our
17 requirements, we will participate with their staff
18 in site surveys, and we have final approval there
19 acting on our behalf as our agent. When I said we
20 inherited, Cambridge Springs was acquired during the
21 prior administration. So I had no involvement. I
22 assume that the previous Commissioner did.

23 REPRESENTATIVE BEBKO-JONES: We could
24 assume that some credible expert had input.

1 COMMISSIONER HORNE: Yes. But from that
2 you should not assume that that correctional expert
3 said that this was their ideal choice. Much as we
4 like this community and we like what we're doing
5 here now, sometimes those decisions, as you well
6 know, are made for other reasons.

7 REPRESENTATIVE JOSEPHS: Do you have any
8 knowledge of the parole departments interaction with
9 the department of general services, whether they
10 have input when leases are taken?

11 COMMISSIONER HORNE: I wouldn't want to
12 speak for them, they're a cabinet level entity.

13 REPRESENTATIVE JOSEPHS: I did expect that
14 answer. I just wanted to hear it.

15 I think that, I have a couple of
16 observations that I'd like to make rather than ask
17 questions and we can end this.

18 Dr. Lewis and some other people had kind
19 of said, I'm a parent, I'm as concerned about my
20 children as the women are. I think that there are
21 many single heads of households in the male
22 population that we just don't know about, and that
23 we don't deal with at all. And I would be very
24 interested in some kind of legislative or regulatory

1 change, I would help support that, that would help
2 parents of either sex offenders who are in that role
3 of responsibility to maintain contacts more because
4 I would like to prevent the very increased incidents
5 of children of these parents who get in to trouble
6 from going that route. As a human and physical and
7 societal kind of preventive measure. I think that
8 we ought to be looking in the General Assembly.

9 And I would hope that you would be
10 supportive of any kind of move that would be made in
11 that direction.

12 I do have one short question. I think you
13 said that the average employee at this institution's
14 tenure was about two years. I wonder if
15 Superintendent Byrd can tell us what the average
16 tenure is at her institution just for comparison?

17 SUPERINTENDENT BYRD: I can tell you the
18 administrative staff equals 32 years of experience
19 and from my immediate staff the average length of
20 state service I would say is 18 years. And I do
21 have with me in this stack of paper the average
22 length of service for the other employees, the
23 people who run the institution, the daily officer,
24 staff, et cetera, et cetera. We have, I'm sure, a

1 very large percentage, high percentage of staff who
2 have worked in that institution for their entire
3 careers.

4 REPRESENTATIVE JOSEPHS: So obviously
5 there is much more institutional experience in an
6 older facility. I would, however, encourage you
7 from wherever you operate, to do some of the things
8 that need to be done here. I think particularly
9 with the population that at least to me seems to be,
10 seems to be more likely to reenter society with more
11 success because it is a minimum system, it is a
12 minimum facility here, we have heard, not only from
13 inmates but from outside people that there are real
14 problems with prerelease planning and release
15 planning in general.

16 I can image, like Representative
17 Manderino, I also live in the real world, I can
18 image the kind of problems that you have. I maybe
19 should cast that into the mode of saying I'd like to
20 help with that. I think it needs to happen. And
21 I'd like to see it happen as fast as it can.

22 I'm also very concerned about these
23 incidents of sexual abuse and close it. And I will
24 follow investigations as much as I can from where I

1 sit, and I would appreciate whatever information
2 that I can have from all of you, at the male
3 institutions as well. I am not so naive to think
4 that it does not happen there, I'm sure it does.

5 COMMISSIONER HORNE: And let me also point
6 out that not all of the employees that
7 Superintendent Wolfe mentioned among the 12 were
8 men.

9 REPRESENTATIVE JOSEPHS: Yes, I was going
10 to say the same thing. I am quite clear in my mind
11 that abuse happens with perpetrators of either sex
12 and victims of either sex. I'm quite well aware of
13 that.

14 COMMISSIONER HORNE: Let me point out to
15 you that the United States Department of Justice has
16 actually filed lawsuits against the State of Arizona
17 and the State of Michigan because of ongoing and
18 systematic sexual molestation and abuse of female
19 inmates in their female prisons. And it says, the
20 government named the lead defendant, no one is more
21 determined than I than that Pennsylvania does not be
22 in the same situation. And I am really appreciative
23 of the willingness of, as me and labor unions work
24 with us and we're going to finish to work.

1 We've retained I think one of the
2 country's leading authorities on women and
3 codependence and behavior and institutionalized
4 women as a consultant to work with the staff here
5 specifically at Cambridge Springs, to assist us in
6 deciding how best to fix the problem. I don't know
7 that we'll ever fully solve it, but to reduce it.

8 REPRESENTATIVE JOSEPHS: I understand
9 that. But the incidents of five rising, I believe
10 that's at least what the newspapers are reporting,
11 to the point of criminal prosecution tells me that
12 there are many multiple other incidents going on and
13 impossible to, certainly as Representative Manderino
14 said, we have the same thing going on in the
15 legislature, we know it, we're trying to reduce.

16 But it needs to happen, obviously.

17 And finally, I'm interested in legislation
18 which would change the situation in which a person
19 who violates parole for a relatively trivial reason,
20 like forgetting to report his or her address, or not
21 being able to find a place to live because he or she
22 is poor, or any of those, I'm very upset about the,
23 perhaps it's statute that sends that person back to
24 a prison for a technical violation.

1 I would like to work with you on
2 legislation and appropriations that would set up
3 appropriate facilities for people almost like
4 amounting to sentencing at the end of the
5 incarceration rather than previous to it. And I
6 don't think that that requires a response except I
7 would like to have your help and I hope you will say
8 yes.

9 COMMISSIONER HORNE: Well, it does require
10 a response for two reasons. One is because,
11 frankly, notwithstanding the public perception and
12 allowing that there might be an exception, I would
13 say it's rare that the parole board returns a person
14 to state prison for something as trivial as that.

15 Often there is other, I think the board
16 responds very appropriately and their first concern
17 is public safety.

18 And then just as I said earlier, that in a
19 minimum security prison you have to focus on
20 procedures more than you do in maximum security.
21 And in a community where you have no procedures
22 other than your procedures and accountability you
23 have to hold parolees to a higher standard.

24 And I think the parole board in

1 Pennsylvania in the last two and a half years has
2 done a major turn around. And let me tell you if I
3 find an inmate who's taking up a bed that I
4 desperately need because he failed to tell us where
5 he's living, you can bet I get on the phone and
6 complain to the parole board chairman. And I think
7 he shares my view.

8 So I think you've got to take that with a
9 grain of salt. I will also tell you that we do
10 fund, our department supports through its community
11 correction program halfway back houses, which
12 provide an opportunity for parole officers to take
13 an individual and keep them in their home community
14 in a halfway house, a non secure halfway house.
15 Most often a contract facility run by a private
16 group such as Gateway, if it's drug abuse, or adapt
17 in reading --

18 REPRESENTATIVE JOSEPHS: I'm aware, you
19 know, of so many of those programs.

20 COMMISSIONER HORNE: We house on any
21 different day hundreds of parolees there for two,
22 three, six months as an alternative for them going
23 back to prison. We recently hopped on board with
24 Eagleville Hospital so they can participate, who are

1 actively using drugs who are medically intoxication
2 and hospitalized them in Eagleville for 90 days,
3 following which they are returned to the community
4 and we pay, the Department of Corrections pays for
5 drug and alcohol after care and relapse prevention
6 post release.

7 And those programs have had a dramatic
8 impact. In fact, the number of parole violators
9 returned to state correctional institutions has
10 dropped in the last year, I think in large measure
11 as a result of those efforts. So I think your idea
12 is a good one, but I think that we're already
13 spending money on that.

14 REPRESENTATIVE JOSEPHS: I would be very
15 interested if you would forward to the Chairman of
16 the Committee the figure that backs up that
17 statement.

18 Thank you.

19 Thank you, Mr. Chairman.

20 REPRESENTATIVE BIRMELIN: Representative
21 Manderino has again asked for a one question follow
22 up which I assume is going to be brief.

23 REPRESENTATIVE MANDERINO: Hold me to it.

24 Thank you.

1 Commissioner Wolfe, the regular meet and
2 discuss meetings, I asked the union president about
3 it and her attendance. Can you tell me who
4 specifically attends those meetings regularly on
5 behalf of management? And if you're not one of
6 them, which I don't necessarily expect that you are,
7 do you get copies of those minutes? And also, does
8 your boss get copies of those minutes?

9 SUPERINTENDENT WOLFE: First of all, we
10 definitely, the superintendent, facility management
11 is the chairperson for that, for that meeting. I
12 frequently go in at some point during the meeting,
13 generally the beginning, if there is specific issues
14 I would like to address to the membership. I
15 occasionally spend a whole meeting there. Many
16 times I don't, depending upon the issues to be
17 discussed. I also have my deputy superintendent for
18 centralized services sit in on the management side,
19 as well as the captain of the guard, and our
20 personnel officer.

21 REPRESENTATIVE MANDERINO: And then just
22 the other half about the minutes, do you receive
23 copies of minutes and does your boss, who I
24 understood from yesterday is the western regional

1 deputy commissioner for the western region.

2 SUPERINTENDENT WOLFE: Minutes are taken
3 by a secretary, I do receive a copy of the minutes.
4 The local minutes are distributed to central office,
5 as well as other SCI who are familiar with issues
6 that go along with their system.

7 REPRESENTATIVE MANDERINO: Today to the
8 deputy commissioner of the western district?

9 SUPERINTENDENT WOLFE: Yes.

10 REPRESENTATIVE MANDERINO: Thank you.

11 REPRESENTATIVE BIRMELIN: Just in closing
12 let me thank those of you who participated, not only
13 you who are here right now, but for those who were
14 here in the Monday session, as well as those who
15 took us on the tour yesterday. Having been in many
16 of our state prisons at this point in time I feel
17 like I'm right at home. But I'm allowed to go home.
18 And I appreciate that.

19 But I guess I am addressing these comments
20 to you, that is sort of echoing what I said earlier.
21 I think by and large the Department of Corrections
22 is attempting to and does do a very good job given
23 the resources that it has, and that's the job you've
24 been asked to do.

1 I do in my experience see that there are
2 some problems, and I know you do. And I know your
3 professional colleagues do as well. And I would
4 extend to you the offer that I personally as a
5 legislator of the subcommittee and the whole
6 committee, and I know some of my colleagues would,
7 we'd be interested in working with you if
8 legislative changes would make the system better. I
9 didn't say easier but better.

10 And of all the things that we heard here
11 today and saw on the tour and Monday, I guess the
12 one thing that probably impresses me the most is
13 that in women inmates lives the best thing that we
14 can do is keep them connected with their family.
15 You may have drug programs here, that's fine, you
16 may have cosmetology too, that's fine, they may be
17 out cutting grass and keeping busy and building
18 shacks in the wood working shop. That's all fine.

19 But overwhelmingly, what I'm see is if we
20 can keep these women prisoners connected to their
21 families, they'll have hope. They'll have a sense
22 of still belonging and being an active parent. The
23 love connection will be there, and they can endure
24 what they have to go through here.

1 I mean, several of the prisoners, I didn't
2 have any of them tell me they were innocent, I
3 killed a guy, you know, wrote bad checks, I mean
4 that is pretty honest and up front. Oh, I'm
5 innocent, whatever, they know they're here for a
6 reason of their own doing.

7 But I also know that the family connection
8 is so strong with these women, or at least with most
9 of them that this is the one thing that I think we
10 really have to work at maintaining if we can at all.
11 And because of the prison situation that's not icy.
12 I think one of the best situations was the idea of
13 teleconferencing somehow or other with families so
14 that through the technology that is existing today
15 we can maintain that connection.

16 COMMISSIONER HORNE: We're actually
17 investigating that.

18 REPRESENTATIVE BIRMELIN: I knew you would
19 tell me you were on top of that. And I'm glad to
20 hear that. But I am not a lock 'em up and throw
21 away the key, I know most of these people are not,
22 and I know that if we can give the public an
23 alternative to that and show them that it works, the
24 public will come along and they will support that.

1 But we have to show them. And it's my sense if this
2 is the overwhelming solution, mostly with women but
3 I think that's an avenue we ought to pursue. With
4 that I'll conclude these meeting and extend that
5 offer to you.

6 COMMISSIONER HORNE: Thank you very much.

7 REPRESENTATIVE BIRMELIN: And whatever
8 offices these other representatives are able to
9 avail to you we'll be glad to do that.

10 We want to thank you who are here and all
11 who attended and. If any of you are really looking
12 for a cure for insomnia we will provide a transcript
13 for the testimony that I assume that will be
14 available probably in another month or two.

15 But we thank you for coming and this
16 hearing is now concluded.

17 - - - -

18 (Whereupon, the proceedings were concluded
19 at 1:30 o'clock p.m.)

20 - - - -

JOSEPH D. LEHMAN
COMMISSIONER
DEPARTMENT OF CORRECTIONS

Mort, Kenneth (Lt.)

December 1993

COMMONWEALTH OF PENNSYLVANIA

STATE CORRECTIONAL INSTITUTION

AT CAMBRIDGE SPRINGS

WILLIAM J. WOLFE
SUPERINTENDENT

Address All Replies
To Superintendent

December 20, 1993

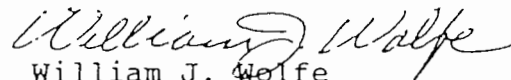
Mr. Vaughn Davis, Director
Special Investigations Office
Department of Corrections
P.O. Box 598, 2520 Lisburn Road
Camp Hill, PA 17001-0598

Dear Mr. Davis:

This letter is to advise you and your staff that effective this date, Lt. Kenneth D. Mort resigned his position as an employee of the Department of Corrections, Commonwealth of Pennsylvania. This action eliminates the need to continue the investigation of the allegations made by inmate Russo, OB5950 and Kloss, OB6513. Therefore, this investigation is terminated.

Thank you and your staff for your assistance and cooperation in this manner.

Very truly yours,


William J. Wolfe
Superintendent

WJW/jfh

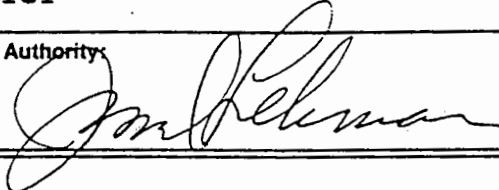
Enclosure: Copy of Resignation

cc: Deputy Commissioner Fulcomer
/Deputy Kormanik
Captain Lazenby
Lt. Bartlett
Debra Gieda, Special Investigator
File



POLICY STATEMENT

Commonwealth of Pennsylvania • Department of Corrections

Policy Subject: SEXUAL HARASSMENT POLICY		Policy Number: 1.6.2
Date of Issue: September 20, 1994	Authority: 	Effective Date: 9/20/94

I. AUTHORITY

The Administrative Manual is established by the authority of the Commissioner of Corrections pursuant to sections 201, 206, 506, and 901-B, of the Administrative Code of 1929, Act of April 9, 1929, P.L. 188, No. 175, as amended.

II. PURPOSE

The purpose of this directive is to establish guidelines and written procedures governing appropriate behavior and the responsibilities of staff in compliance with Department policy in the prohibition of sexual harassment.

III. APPLICABILITY

This policy is applicable to all persons who are employed by the Department of Corrections and to those individuals and groups who have business with or use the resources of the Department of Corrections.

IV. DEFINITIONS

"Sexual Harassment": Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when;

- A. Submission to such conduct is made either explicitly or implicitly a term or condition of an individuals employment;
- B. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; and/or
- C. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

EXHIBIT
142

Sexual Harassment Policy
conts. page 2 of 3

"Chief Administrator": The superintendents or Commander of a Correctional facility or the appropriate Office, Division or Bureau Directors.

V. POLICY

All employees are entitled to work environment free from sexual harassment. The Department prohibits any form of sexual harassment.

VI. PROCEDURE

Any employee who engages in or knowingly condones sexual harassment shall be subject to disciplinary action, including discharge.

Any employee who believes that he or she is the victim of sexual harassment shall be encouraged to report the incident.

The employee may:

- A. Notify his/her immediate supervisor;
- B. If the employee's immediate supervisor is the person alleged to have engaged in harassment, notify the next person in the chain of command; or
- C. Report sexual harassment directly to your Personnel Office or the Office of Affirmative Action who will report the incident to the appropriate chief Administrator.

Any employee who is seeking corrective action shall document all incidents as they happen, name, date, time and where.

A Supervisor receiving an oral or written report of sexual harassment shall advise the Chief Administrator of the allegations. The Chief administrator or designee shall notify the Office of Affirmative Action only when the incident cannot be resolved internally. The Chief Administrator or designee shall initiate a review of the allegations and respond as soon as possible, but not later than five working days. The following steps should be taken as appropriate:

- A. Discuss the allegations with the charged employee.
- B. Discuss the allegations with the reporting employee.
- C. Refer the incident to the appropriate Office for formal investigation.

Sexual Harassment Policy
conts. page 3 of 3

- D. Refer the incident to the Office of Affirmative Action for formal investigation, if appropriate.
- E. Schedule the charged employee for a pre-disciplinary conference, if warranted.
- F. Take other corrective action as required.

In all cases, the Chief Administrator or designee shall:

- A. Inform the reporting employee in writing of the action being taken; and
- B. Submit to the Office of Affirmative Action a copy of any written complaint, a summary of any oral complaint, a copy of the response to the reporting employee and a copy of any investigation report.

The Chief administrator shall be notified of the outcome of any formal investigation conducted by the Internal Investigations Unit or the Office of Affirmative Action.

Retaliatory action against anyone complaining of sexual harassment is prohibited.

VII. SUPERSEDE POLICY AND CROSS REFERENCE

This policy supersedes Sexual Harassment Policy 1.6.2 dated July 17, 1992. This policy also cross-references with;

The Affirmative Action Policy 1.6.1
The Contract Compliance Policy

ACA Cross Reference:
3-4054 Equal Employment Opportunity - Sexual Harassment

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS
SCI-CAMBRIDGE SPRINGS
December 30, 1994

SUBJECT: STAFF INVESTIGATIONS

TO: WILLIAM J. WOLFE
SUPERINTENDENT

FROM: *Keith R. Bartlett, Capt.*
KEITH R. BARTLETT
INTELLIGENCE CAPTAIN

Per your memo 'Request for Investigation' dated December 05, 1994, the following report is submitted.

1. The investigation on Sergeant Merry has been started and I am awaiting evidence from the phone company before further action can be taken. I will keep you advised.
2. On December 30, 1994, I spoke to Mr. Ron Randolph regarding reports of sexual contact with an unknown inmate. I advised him that this was an official investigation and it is his duty to cooperate.

Mr. Randolph denies any wrong doing and states he has never touched an inmate. Considering there are no other witnesses to this case, there is no other evidence to justify further investigation. I did caution Mr. Randolph and told him to be careful not to be out of line with his work crew, not to get too close to them, and to avoid being overly friendly with them.

I recommend terminating this investigation.

3. On December 30, 1994, I also spoke to Mr. Marty Miller and inmate J. White-OC3674, in regards to sexual contact allegations. I gave both parties their Miranda Rights and advised Mr. Miller of his duty under the Code of Ethics to cooperate with an investigation.

Inmate White denies any sexual contact. She admits that they joke around and that Mr. Miller pats them (the whole crew) on the back when they do a good job. Inmate White said she would like to be removed from his crew to avoid her name being brought up again.

Mr. Miller denies any sexual contact and states he would be willing to take a polygraph test. He said he even refuses to go on jobs with only one inmate to avoid problems. He

admits to patting inmates on the back and joking with them.

I was very stern with Mr. Miller and reminded him that we had talked about him touching inmates before. I told him he is never to touch any inmate except in self defense. He said he understood this and he would correct this. I told him this was going in a written report to the Superintendent and he could be in serious trouble if his behavior does not change.

I advised Mr. Allen of the situation and he told me he had also spoken to Mr. Miller about inmate contact when he (Mr. Miller) first started.

I recommend this investigation be terminated with an official counseling session.

Lt. Beck was present for the interviews with Mr. Miller and inmate White.

Sir, if you have any further questions or concerns, please do not hesitate to contact me.

KRB/hs

CC: Deputy Kormanic
Mr. Vaughn Davis, Director SIO
File: ...D30

MIRANDA RIGHTS WAIVER

MY NAME IS RONALD R. LAZENBY OF SCI-CAMBRIDGE SPRINGS
Re: Sign c. Back Sir

I WISH TO ADVISE YOU THAT YOU HAVE AN ABSOLUTE RIGHT TO REMAIN SILENT; THAT ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW; THAT YOU HAVE A RIGHT TO TALK TO AN ATTORNEY BEFORE AND HAVE AN ATTORNEY PRESENT WITH YOU DURING QUESTIONING; THAT IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, ONE WILL BE APPOINTED TO REPRESENT YOU WITHOUT CHARGE BEFORE ANY QUESTIONING IF YOU SO DESIRE; AND IF YOU DECIDE TO ANSWER ANY QUESTIONS, YOU MAY STOP ANY TIME YOU WISH.

1. DO YOU UNDERSTAND THESE RIGHTS I HAVE EXPLAINED TO YOU? *yes*

2. WITH THESE RIGHTS IN MIND, DO YOU WISH TO TALK?

yes *Ronald R. Lazenby*

MIRANDA RIGHTS WAIVER

MY NAME IS KEITH R. BARTLETT OF SCI-CAMBRIDGE SPRINGS

I WISH TO ADVISE YOU THAT YOU HAVE AN ABSOLUTE RIGHT TO REMAIN SILENT; THAT ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW; THAT YOU HAVE A RIGHT TO TALK TO AN ATTORNEY BEFORE AND HAVE AN ATTORNEY PRESENT WITH YOU DURING QUESTIONING; THAT IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, ONE WILL BE APPOINTED TO REPRESENT YOU WITHOUT CHARGE BEFORE ANY QUESTIONING IF YOU SO DESIRE; AND IF YOU DECIDE TO ANSWER ANY QUESTIONS, YOU MAY STOP ANY TIME YOU WISH.

1. DO YOU UNDERSTAND THESE RIGHTS I HAVE EXPLAINED TO YOU?

2. WITH THESE RIGHTS IN MIND, DO YOU NOW WISH TO TALK TO US?

Keith R. Bartlett MB674 12-30-94

Keith R. Bartlett cap: 12-30-94
CALL 12/30/94

MIRANDA RIGHTS WAIVER

MY NAME IS KEITH R. BARTLETT OF SCI-CAMBRIDGE SPRINGS.

I WISH TO ADVISE YOU THAT YOU HAVE AN ABSOLUTE RIGHT TO REMAIN SILENT; THAT ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN A COURT OF LAW; THAT YOU HAVE A RIGHT TO TALK TO AN ATTORNEY BEFORE AND HAVE AN ATTORNEY PRESENT WITH YOU DURING QUESTIONING; THAT IF YOU CANNOT AFFORD TO HIRE AN ATTORNEY, ONE WILL BE APPOINTED TO REPRESENT YOU WITHOUT CHARGE BEFORE ANY QUESTIONING IF YOU SO DESIRE; AND IF YOU DECIDE TO ANSWER ANY QUESTIONS, YOU MAY STOP ANY TIME YOU WISH.

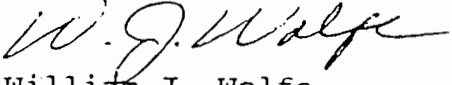
1. DO YOU UNDERSTAND THESE RIGHTS I HAVE EXPLAINED TO YOU?
2. WITH THESE RIGHTS IN MIND, DO YOU NOW WISH TO TALK TO US?

Elizabeth Maynard 3/10/95
Witnessed by: Det. Scott 3-10-95

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI-Cambridge Springs
March 10, 1995

SUBJECT: COT Richard Hammers

TO: Control


FROM: William J. Wolfe
Superintendent

Effective March 10, 1995, C.O.T. Richard Hammers is not permitted to enter the institution until further notice, without the approval of my office.

NOT TO BE READ AT ROLL CALL!


WJW/jfh

cc: Deputy Kormanic
Deputy Utz
Roger Cyr
Shift Commanders
File

COMMONWEALTH OF PENNSYLVANIA
Department of Corrections
SCI-Cambridge Springs
March 25, 1996

SUBJECT: Martin Miller

TO: Control

FROM: 
William J. Wolfe
Superintendent

Effective March 25, 1996, Martin Miller is not permitted to enter the Institution until further notice, without the approval of my office.

NOT TO BE READ AT ROLL CALL!

WJW/cld

cc: Deputy Kormanic
Deputy Utz
Roger Cyr
Shift Commanders
File/miller.396

